

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JUNE 26TH, 2007 AT 6:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

THERE WERE PRESENT: Wayne Angell, Chairman
Charles Wagner, Vice-Chairman
Leland Mitchell
Charles Poindexter
Russ Johnson
Hubert Quinn

ABSENT: David Hurt

OTHERS PRESENT: Richard E. Huff, II, County Administrator
Larry Moore, Asst. County Administrator
Christopher L. Whitlow, Asst. County Administrator
B. J. Jefferson, County Attorney
Sharon K. Tudor, CMC, Clerk

Chairman Wayne Angell called the meeting to order.

PUBLIC COMMENT:

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JOINT MEETING WITH FRANKLIN COUNTY LIBRARY BOARD

Bill Mitchell, Chairman, Franklin County Library, shared with the public the following news release:

The Franklin County Board of Supervisors along with the Franklin County Library Board jointly announce that a new Branch Library, the County's first, will soon be located in the Westlake Towne Center, adjacent to the new Kroger and Westlake Cinemas. The 6716 sq. ft. facility will serve the Library needs of the residents who frequently this shopping and commercial area and is expected to offer a full range of Library services.

"We are excited to be able to expand our services to this busy area of the County that frequently uses Bedford County's Library system today," said the Library Board Chair, Bill Mitchell. "The Board of Supervisors is pleased to be able to see this library become a reality at a place that already attracts many of our County's residents", added Board Chairman, Wayne Angell.

The new Branch Library will supplement the services of the new Central Library opened in downtown Rocky Mount in 2004 and will offer transfer of materials between the two facilities. It is expected to open by early January, 2008 after some minor renovation to the current commercial space.

Chairman Wayne Angell recessed the meeting for the previously advertised public hearings as follows:

PETITION of Cliffs – Smith Mountain Lake, LLC, as Petitioner and Owner, to amend a Rezone Request previously approved on February 21, 2006, for property currently zoned RPD, Residential Planned Unit Development District, with possible proffers, for the purpose of amending the concept plan in order to provide for a total of nineteen (19) single family residential sites in the area of the Cliffs, rather than the eighteen (18) townhouse units and three (3) single family residential units previously approved. The future land use map of the current adopted Comprehensive Plan designates this area as Agricultural/Forestry/Rural Residential. The property is located at the intersection of Rock Cliff Road (Route 988) and Ivy Lane (Route 1440), in the Union Hall Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as Tax Map # 52, Parcel #'s 2.1, 2.2, and 2.3. (Case # RA 07-05-01)
Clyde Perdue, Attorney, presented the petitioner's request to amend a rezone as advertised.

Tom Gargas, local physician, stated he lives on the lake and had no public outcry. Gargas stated he felt there was inadequate posting of the public hearing from the lake side of the property and objected to the rezoning, Gargas noted he hated to see the natural beauty taken away from this area.

(RESOLUTION #20-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned rezoning with proffers, whereby the proposed rezoning will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare, will promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended with the following proffers and deviations:

Approved Proffers and Deviations:

1. The property shall be developed in substantial conformance with the Final Order dated February 21, 2006 (Case # R 06-01-01) and the Special Use Permits (Case # U-06-01-01; U-06-01-02; U-06-01-03) providing for this amendment to the said orders to allow for the development of single family residential sites in the northeast section of the property (Tax Map/Parcel # 52-2.1; #52-2.2; and #52-2.3) as shown on the Amended Concept Plan prepared by Nelson, Byrd, Woltz Landscape Architecture dated December 10, 2005, revised January 10, 2006 (sheet 2 only) , and amended March 15, 2007, and to which the affected property shall be developed in substantial conformance.
2. Short term rentals shall be prohibited in all residential units.
3. The areas designated on the Concept Plan as undeveloped areas shall be subject to future utility crossings (including primary and reserve septic field/drainfield locations) walking trails, bike/jogging/cart trails and other passive recreational uses.
4. All commercial uses permitted in the RPD district shall be prohibited.
5. Low impact development techniques such as, but not limited to mini bio-retention ponds, rain barrels, pervious berms, and pervious swales shall be designed to provide adequate storage in infiltration for a fun off volume equal to ½ inch on all single-family and multi-family dwellings. These facilities may be provided individually on each site or combined at any other appropriate location.
6. The proposed twenty-foot shoreline buffer area adjacent to Smith Mountain Lake shall be subject to selective clearing for views as shown on the attached "Landscape and Architectural Design Objectives".
7. A property owners association shall be responsible for the operation and maintenance of the private roads, water system, solid waste management facility, open space, and the developed amenities. The association shall have the right to transfer these responsibilities to an appropriate responsible entity.
8. All proposed utilities shall be underground.

Deviations (as shown on the Amended Concept Plan dated March 15, 2007):

1. Deviation of the road frontage for certain residential lots designated as C1 through C19 from 75 feet to 56 feet (this deviation was provided in the original rezoning); and,
2. Deviation of front setback for certain residential lots designated as C1 through C19 from 30 feet to 25 feet.

MOTION BY: Charles Poindexter

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

PETITION of Smith Mountain Lake 4-H Educational Center, Inc., as Petitioner and Owner, to request Special Use Permit, with proposed conditions, for property currently zoned A-1, Agricultural District, for the purpose of establishing a shooting sports complex to be used for youth and for year-round educational programs for youth and adults, tournament competitions, and possible training for public safety organizations. The future land use map of the current adopted Comprehensive Plan designates this area as Low Density Residential. The property is located on Hermitage Road (Route 669), in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as Tax Map # 52, Parcel # 1. (Case U 07-05-01)

Roger Elmore, Executive Director, 4-H Center, presented a power point presentation (on file in the Planning Office).

Jerry Godsey of 345 Hermitage Road, stated his property borders the 4-H property and that the proposed project is a great addition to the Center's programs and shared his support for the project.

Jean Dalton, owner of property across the backside of the 4-H Center along Azalea Circle stated he was concerned about the noise level from tournaments and hopes the Board will consider this.

(RESOLUTION #21-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the special use permit with the conditions as discussed for uses as provided in this chapter finding by the Franklin County Board of Supervisors that such use will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare and in accord with the requirements of Section 25-638 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended. Further the proposal encourages economic development activities that provide desirable employment and enlarges the tax base. Approval with the following conditions:

Approved Conditions:

1. The property shall be developed in substantial conformance with the Letter of Application and Concept Plan for the Shooting Sports Complex at the W.E. Skelton 4-H Center, dated March 29, 2007, prepared by Lumsden Associates.
2. The Applicant shall ensure that hours of operation will be limited to no earlier than 8:00 am and no later than 9:00 pm.
3. Upon submission of the development site plan, the applicant shall provide documentation indicating conformance with "Best Management Practices for Lead at Outdoor Shooting Ranges" publication dated June 2005, prepared by U.S. Environmental Protection Agency (EPA). The applicant shall request a "Certificate of Recognition" from EPA by submitting a notice to the EPA Lead Shot Coordinator in EPA Region 2 within six (6) months of opening the facility stating that they have completed an Environmental Stewardship Plan consistent with the EPA Best Management Practices for Lead at Outdoor Shooting Ranges Manual.
4. If required, the Applicant shall obtain a Stormwater Pollution Prevention Plan (SWPP) approval from the Virginia Department of Conservation and Recreation, and will need such approval prior to issuance of any development permits with Franklin County.

MOTION BY: Charles Poindexter

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

ABSENT: Johnson

THE MOTION PASSES WITH A 5-1-0-1

PETITION of Anthony C. Brown and Karen M. Brown, as Petitioners and Owners, to request that property currently zoned M-1, Light Industry District, to Rezone to A-1, Agriculture District, with possible proffers, consisting of ± 3.1620 acres, for the purpose of bring a legal nonconforming residential dwelling use into conformance with the current Franklin County Zoning Ordinance to allow for the expansion of the existing home. The future land use map of the current adopted Comprehensive Plan designates this area as Agriculture and Forestry/Rural Residential. The property is located on State Route 122, Booker T. Washington Highway, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as Tax Map # 45, Parcel # 18.3. (Case R 07-06-01)

Anthony Brown presented his petition.

No one spoke for or against the proposed petition.

(RESOLUTION #22-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned rezoning with proffers and the proposed rezoning will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare, will promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

MOTION BY: Russ Johnson

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

PETITION of LakeWatch, LLC, a Virginia Limited Liability Company, LakeWatch Utility Company, a Virginia Public Utility Corporation, and Aubon Water Company, a Virginia Corporation by its Receiver, David G. Petrus, as Petitioners and Owners, to amend a Special Use Permit approved May 16, 2006, with possible conditions, which was also an amendment to the special use permit for a central sanitary sewer approved May 17, 2005 by the Franklin County Board of Supervisors, to extend the service area to support a .608 acre parcel, Lot 9A, of Aubon Water Company. The properties involved as currently zoned PCD, Planned Commercial District, A-1, Agricultural District, and R-1, Residential Suburban Subdivision District. The future land use map of the current adopted Comprehensive Plan designates this area as Low Density Residential. The property is located on the northwest side of Route 122, approximately 0.7 miles northeast of Westlake Corner intersection with Route 616, in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as a portion of Tax Map # 15 Parcel #'s 39, 40, 41, and 42; and Tax Map # 15.2, Parcel # 8. (Case # UA 07-06-01)

Clyde Perdue presented the LakeWatch petition request.

No One Spoke for or against the proposed petition.

(RESOLUTION #23-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the special use permit with the conditions as discussed for uses as provided in this chapter finding by the Franklin County Board of Supervisors that such use will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare and in accord with the requirements of Section 25-638 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended. Further the proposal encourages economic development activities that provide desirable employment and enlarges the tax base with the following conditions:

Approved Conditions:

1. A primary and 100% reserve area capable of providing an approved method of sewage disposal for the proposed use must be dedicated and approved by Virginia Department of Health prior to any approvals granted by the Departments of Planning and Community Development or Building Inspections for the subject property.
2. Effluent from any future wastewater treatment facility shall be disinfected by ultra-violet light prior to subsurface disposal.
3. Per the application, the facility shall provide adequate treatment to reduce the effluent strength to the following maximum contaminant levels:
 - Biochemical Oxygen Demand (BOD) 30mg/l
 - Total Suspended Solids (TSS) 30 mg/l
 - Total Nitrogen 5 mg/l
4. Design of the wastewater facility shall comply with the current Sewage Treatment and Collection Regulations and On-Site Sewage Handling and Disposal Regulations and any related interpretations and guidance memorandum policies.
5. Documentation of all soils information and drainfield sizing shall be provided for review which will include calculations for groundwater mounding and nitrate loading. Documentation shall also include information to validate any assumptions made in the calculation such as depth to any restrictive layers below installation depth.
6. The areas that are designated as reserve drainfields shall not be disturbed and shall remain in its current conditions.
7. Central sewer system shall be owned and operated by Lake Watch, LLC. Lake Watch, LLC reserves the right to convey title of the Central sewer system to any responsible party.
8. Lake Watch, LLC, or its assigns shall provide to Franklin County a year-end compilation statement indicating receivable and disbursements made during the preceding fiscal year.
9. A retention dike/basin shall be installed surrounding the plant with the capacity to contain 24 hours flow into the plant, unless VDH or DEQ agree that the dike is not necessary.
10. A Trustee shall be appointed to set up and handle an escrow account for the maintenance and operation of the plant.
11. A twenty (20) foot wide vegetative buffer shall remain along Route 951.

12. The proposed sewer system and associated drainfields shall be constructed in general conformity with the concept plan prepared by ACS Design and dated March 11, 2005.
13. This Special Use Permit may be extended to include sewage generation from Tax Parcel # 15-47.1 and 15.2-8 (consisting of 0.608 acres).

MOTION BY: Russ Johnson

SECONDED BY: Charles Poindexter

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

PETITION of Westlake Corporation and Westlake II Corporation, as Petitioner; and Runk and Pratt of SML, LLC, as Owner, to amend a Special Use Permit approved December 19, 2006 by the Franklin County Board of Supervisors, with possible conditions, for the Westlake Treatment and Mass Drainfield Facility to extend the service area to support a proposed fifteen (15) additional parcels. The property that the existing wastewater system is located on is currently zoned A-1, Agricultural District; the property proposed to be connected to the wastewater system is currently zoned PCD, Planned Commercial District. The future land use map of the current adopted Comprehensive Plan designates this area as Rural Village Center and does not set forth a density range. The property is located in the Westlake Overlay District on State Route 122 North in the Gills Creek Magisterial District of Franklin County and is identified on Franklin County Real Estate Tax Records as Tax Map # 30 Parcel # 1.1 (Wastewater Treatment Facility); and Tax Map # 30, Parcel # 52.11. (Case # UA 07-06-02) Mr. Dan Early of ACS Design presented the previously advertised special use permit request.

(RESOLUTION #24-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the special use permit with the conditions as discussed for uses as provided in this chapter finding by the Franklin County Board of Supervisors that such use will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare and in accord with the requirements of Section 25-638 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended. Further the proposal encourages economic development activities that provide desirable employment and enlarges the tax base. Approval with the following conditions:

Approved Conditions:

1. The design of any wastewater treatment facility or mass drain field shall comply with all of the requirements as found in the Special Use Permit Guidelines for Subdivision Wasterwater Disposal Systems as adopted by the Board of Supervisors of Franklin County.
2. The applicant shall connect to a public utility providing sewage treatment should it become available.
3. The mass drainfield shall only serve sewage generated from the development proposed on current tax parcel 30-1.5 and former parcel 30-1.3 and tax parcel 30-52.11, consisting of ± 24 acres.
4. All utility lines shall be buried.
5. There shall be no structures or paving on the property directly relating to the special use permit. Consisting of ± 2.00 acres, except those necessary for the treatment plant and operation of the drainfield and said structures shall be barn or agricultural in design with wood siding.

MOTION BY: Russ Johnson

SECONDED BY: Hubert Quinn

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, June 26th, 2007**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the adoption of proposed ordinance amendments titled **Section 1-14. Assessment of additional costs in civil actions for support of law library, Section 1-15.**

Assessment of additional costs in criminal or traffic cases for support of courthouse maintenance. Section 1-17. Provision Local Courthouse Security

The said proposed ordinance amendments would read as follows:

SEC. 1-14. Assessment of additional costs in civil actions for support of law library.

(a) Pursuant to the provisions of section 42.1-70 of the Code of Virginia, there is hereby assessed, as a part of the costs incident to each civil action filed in the Circuit Court located in the county, the sum of four dollars (\$4.00), and each civil action filed in the General District Court located in the county, the sum of ~~three dollars (\$3.00)~~, **four dollars (\$4.00)**, which sums shall be collected by the respective clerk of each court in which the action is filed and remitted to the county treasurer. Sums so remitted shall be held by the treasurer subject to disbursements by the board of supervisors for the acquisition of law books and law periodicals for the use and maintenance of the county's public law library heretofore established and for such other purposes as are authorized by section 42.1-70 of the Code of Virginia.

(b) The assessment provided for in this section shall be in addition to all other costs prescribed by law, but shall not apply to any action in which the commonwealth or any political subdivision thereof or the federal government is a party and in which costs are assessed against the commonwealth, a political subdivision thereof or the federal government.

(Ord. of 7-27-81, § G)

SEC. 1-15. Assessment of additional costs in criminal or traffic cases for support of courthouse maintenance.

Pursuant to the provisions of section ~~44.1-133.2~~ **17.1-281** of the Code of Virginia, there is hereby assessed, as a part of the costs incident to each criminal case or traffic case in any District Court or Circuit Court located in the county, the sum of ~~two dollars (\$2.00)~~, **four dollars (\$4.00)**, which sum shall be collected by the respective clerk of each court in which the case is filed and remitted to the county treasurer. Sums so remitted shall be held by the treasurer subject to disbursements by the board of supervisors for the maintenance of the courthouse and court-related facilities and to defray increases in the cost of heating, cooling, electricity and ordinary maintenance. The assessment provided for herein shall be in addition to any other fees prescribed by law.

(Res. No. 27-06-90, 6-18-90)

SEC. 1-17. Provision Local Courthouse Security.

Pursuant to the provisions of Code of Virginia § 53.1-120, there is hereby assessed a charge of ~~five dollars (\$5.00)~~ **ten dollars (\$10.00)** as part of the costs in each criminal or traffic case in Franklin County General District, Juvenile and Domestic or Circuit Courts in which the defendant is convicted. The assessment shall be collected by the clerk of the court, remitted to the treasurer and held by the treasurer subject to appropriation by the governing body to the sheriff's office for the funding of courthouse security.

(Ord. of 5-16-02(1))

Charles Jordan of Boones Mill, stated instead of charging set fees as advertised ,a sliding scale system may serve better.

(RESOLUTION #25-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned amendments to Section 1-14, 1-15 & 1-17 as advertised and presented.

MOTION BY: Charles Poindexter

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

PUBLIC NOTICE

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, June 26th, 2007**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the adoption of a proposed ordinance titled **Section 4-5.1 Bond required for certain animals seized**. The said proposed ordinances would read as follows:

Be It Hereby Ordained by the Board of Supervisors of Franklin County:

§ 4-5.1 Bond required for certain animals seized.

Any law-enforcement officer, or animal control officer that seizes an animal pursuant Virginia Code § 3.1-796.115 for more than 30 days but less than nine months, may petition the court to require a bond in surety be posted by the owner of such animal(s) to cover the amount of the cost

of boarding the animal(s). If convicted, the court shall order the owner of any animal(s) determined to have been abandoned, cruelly treated, or deprived of adequate care to pay all reasonable expenses incurred in caring and providing for such animal from the time the animal is seized until such time that the animal is disposed of in accordance with the provisions § 3.1-796.115 of the Code of Virginia, to the provider of such care.

No one spoke for or against the proposed amendment.

(RESOLUTION #26-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned ordinance Section 4-5.1 as advertised and presented.

MOTION BY: Russ Johnson

SECONDED BY: Charles Poindexter

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

Other Matters by Supervisor:

Patrick Henry Community College (4-Year Term)

- Citizen Appointment

(RESOLUTION #27-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Charles Hunt to the Patrick Henry Community College with said term to expire June 30, 2011.

MOTION BY: Russ Johnson

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

Recreation Commission (3-Year Term)

- Blackwater District
- At Large Member

(RESOLUTION #28-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Jonathan Crutchfield (Blackwater District) and Kay Saleeby as the At Large Member on the Recreation Board with said terms to expire June 30, 2010.

MOTION BY: Charles Wagner

SECONDED BY: Charles Poindexter

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

Roanoke Valley-Alleghany Regional Commission (3-Year Term)

- 1BOS Representatives Appointment

STEP, Inc. (1-Year Term)

- 1Citizen Appointment

(RESOLUTION #29-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to reappoint Florella Johnson to serve on the STEP, Inc. Board with an expiration term of June 30, 2008.

MOTION BY: Charles Wagner

SECONDED BY: Leland Mitchell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

Western Piedmont Disabilities Services (3-Year Term)

- Citizen Appointment (Joan Wimmer/Re-Appointment)

(RESOLUTION #30-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Joan Wimmer to serve on the Western Piedmont Disabilities Services Board with said term to expire June 30th, 2010.

MOTION BY: Charles Wagner

SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

Western Va. Workforce Development Board (3-Year Term) July agenda item

- Citizen Appointment

SMITH MOUNTAIN LAKE ROTARY CLUB SPECIAL EVENTS APPLICATION APPROVAL

Richard E. Huff, II, County Administrator, presented a Special Entertainment Application for the SML Rotary Club for July 4th, 2007. Mr. Huff advised the Board the application was in order and a bond may be set by the Board.

(RESOLUTION #31-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the submitted SML Rotary Club Special Events Application for July 4th, 2007 and to set the bond at \$500.00 as a cashiers check.

MOTION BY: Russ Johnson

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

SNOWCREEK BALLFIELD

Leland Mitchell, Snow Creek District Supervisor, shared with the Board a donation of the Snow Creek ballfield across from the Snow Creek Fire Department. Mr. Mitchell advised the Board the current owners requested a maintenance agreement from the County on the upkeep of the property.

(RESOLUTION #32-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to accept the donation of the Snow Creek ballfield and to authorize the County Administrator to execute the necessary documents with the County Attorney with the inclusion of a maintenance agreement of said property.

MOTION BY: Leland Mitchell

SECONDED BY: Hubert Quinn

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

WESTLAKE BRANCH LIBRARY

(RESOLUTION #33-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to authorize the lease for the Westlake Branch Library property for a 10 year period with the option of a two (2); 5 year extensions with the variable rent rate beginning on January 1, 2008 at \$7.25 square foot

MOTION BY: Russ Johnson

SECONDED BY: Hubert Quinn

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

ABSENT: Hurt

THE MOTION PASSES WITH A 6-0-1.

THANK YOU TO RON WILLARD, SR. & JR. FOR WESTLAKE PROPERTY

The Board instructed the County Administrator to forward a letter of appreciation to Ron Willard Sr. and Ron Willard, Jr. for their generous contribution of the Westlake Library Property.

(RESOLUTION #34-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to forward a letter of appreciation to Ron Willard, Sr. & Ron Willard, Jr. for their generous contribution of the Westlake Library site.

MOTION BY: Russ Johnson

SECONDED BY: Hubert Quinn
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell
ABSENT: Hurt

PROFFER/CONDITION REVISIONS AT BOARD MEETINGS

Richard E. Huff, II, County Administrator, shared with the Board a memorandum previously sent to the Board regarding Proffer/Condition Revisions at Board Meetings. The Board stated they would review and discuss at a later date.

CLOSED MEETING
(RESOLUTION #35-06-2007)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-1, Personnel, of the Code of Virginia, as amended.

MOTION BY: Hubert Quinn
SECONDED BY: Leland Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell
ABSENT: Hurt

MOTION:	Hubert Quinn	<i>RESOLUTION: #36-06-2007</i>
SECOND:	Leland Mitchell	MEETING DATE June 24 th , 2007

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and
WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;
NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.
VOTE:
AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn, & Angell
NAYS: NONE
ABSENT DURING VOTE: Hurt
ABSENT DURING MEETING: Hurt

Chairman Angell adjourned the meeting.

W. WAYNE ANGELL
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR